

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GABRIEL MOLINA,

Plaintiff,

Case No. 1:24-cv-899

v.

Hon. Hala Y. Jarbou

STATE OF MICHIGAN, et al.,

Defendants.

ORDER

Plaintiff filed his Complaint (ECF No. 1) and Motion for Temporary Restraining Order and Preliminary Injunction (ECF No. 2) on September 3, 2024. On September 17, 2024, Magistrate Judge Sally J. Berens issued a Report and Recommendation (R&R) recommending that Molina's complaint be dismissed because it seeks relief against parties who are immune under the Eleventh Amendment and fails to state a claim (ECF No. 9). The R&R was duly served on the parties. No objections have been filed, and the deadline for doing so expired on October 1, 2024. On review, the Court concludes that the R&R correctly analyzes the issues and makes a sound recommendation.

Accordingly,

IT IS ORDERED that the R&R (ECF No. 9) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction (ECF No. 2) is **DENIED as moot**.

IT IS FURTHER ORDERED that the Court **CERTIFIES** that an appeal would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

A judgment will issue in accordance with this order.

Dated: October 9, 2024

/s/ Hala Y. Jarbou

HALA Y. JARBOU

CHIEF UNITED STATES DISTRICT JUDGE